

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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TOMAS RODRIGUEZ,

Plaintiff,

v.

RN EDGE,

Defendant.

ORDER

Case No. 16-cv-578-wmc

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*Pro se* plaintiff Tomas Rodriguez is proceeding in this lawsuit against defendant Nurse Beth Edge on Eighth Amendment deliberate indifference claims related to Edge's responses to Rodriguez's requests for medical care in November 2015 and February and March of 2016. On September 4, 2020, defendant filed a motion for summary judgment. (Dkt. #49.) The court set October 5, 2020, as plaintiff's opposition deadline. That deadline has passed, and Rodriguez has not responded to defendant's motion or contacted the court seeking an extension of that deadline. His failure to respond to defendant's motion, or to take any other action indicating that he is preparing an opposition, suggests that he has abandoned this lawsuit. Accordingly, the court will give Rodriguez one more chance to respond to defendant's motion: he now has until **November 11, 2020**, to file an opposition to defendant's motion for summary judgment. His failure to meet this deadline will cause the court to dismiss this case with prejudice for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

ORDER

IT IS ORDERED that plaintiff Tomas Rodriguez may have until **November 11, 2020**, to file a response to defendant's motion for summary judgment. **If Rodriguez does not respond by that date, the court will dismiss his claims with prejudice.**

Dated this 28th day of October, 2020.

BY THE COURT:

/s/

WILLIAM M. CONLEY  
District Judge